

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants-Allegation of corruption against Sri Inturi Mallikarjuna Chowdary, Village Revenue Officer, Kandukur, Prakasam district-Trapped on 13.06.2008-Sanction of Prosecution-Orders Issued.

REVENUE (VIG.II) DEPARTMENT

G.O.Ms.No.1130

Dated:27.10.2009

ORDER:

1. Whereas Sri Inturi Mallikarjuna Chowdary, worked as Village Revenue Officer, Kandukur, Prakasam district from 12.9.1997 to 13.06.2008 and by virtue of the post held by him, he falls under the category of Public Servant as defined under section 2 (c) of the Prevention of Corruption Act, 1988;
2. And Whereas, Sri Kunam Rama Rao S/o Peda Narasimham aged 46 years, resident of Kandukur, Praksam district is the complainant.
3. And Whereas, it is alleged that Sri. Kunam Rama Rao, his brother Sri K. Mallikarjuna Rao and mother are having Ac.6.50 cents of agricultural land jointly. They shared the said land i.e 1.75 acres to him, 3.75acres of land to his brother and 1.30 acres of land to his mother. In April, 2008 they submitted an application to the Tahsildar, Kandukur Mandal, Prakasam district with a request to issue Pattadar Pass Books and Title Deeds for the above lands in his name and in the name of his brother and mother. The Tahsildar, Kandukur endorsed the same to Sri Inturi Mallikarjuna Chowdary, Village Revenue Officer, Kandukur, Prakasam district for further action. On that Sri Kunam Rama Rao approached sri I.Mallikarjuna Chowdary and requested him to process to issue the Pattdar Pass Books and Title Deed books. On that Sri I. Mallikarjuna Chowdary demanded Sri Kunam Rama Rao to pay Rs.4,500/- for issuing Pattadar and Title Deeds Books which Sri Kunam Rama Rao expressed his inability to pay any amount. On 2.5.2008 he along with his brother and mother received the Pattadar Pass Books. Sri Kunam Rama Rao, his brother and mother enquired with Sri I. mallikarjuna Chowdary about their Title Deed Books. Sri Mallikarjuna Chowdary demanded Sri Kunam Rama Rao to pay Rs.1,300/- as illegal gratification to issue the Title Deed Books. Again on 1.6.2008 Sri Kunam Rama Rao requested Sri I. Mallikarjuna Chowdary about his work but Sri I. Mallikarjuna Chowdary expressed his earlier demand. On 10.06.2008 Sri Kunam Rama Rao finally approached Sri I.Mallikarjuna Chowdary and requested him to issue the Title Deed Books. On that Sri I. Mallikarjuna Chowdary, Village Revenue officer informed that the Title Deed Books were prepared and he obtained the signature

from all the officer and demanded earlier bribe amount of Rs.1,300/-. As there was no other go, Sri Kunam Rama Rao accepted to pay the demanded bribe amount of Rs. 1,300/- to Sri I. Mallikarjuna Chowdary. Sri Kunam Rama Rao was unwilling to pay the demanded bribe amount, he approached the Anti-Corruption Bureau Office, Nellore and gave a report against Sri I. Mallikarjuna Chowdary to the District Inspector, Anti-Corruption Bureau, Nellore to take action against him;

4. And Whereas, it is further alleged that on the complaint of Sri Kunam Rama Rao, the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore registered a case in Cr.No.11/RCT-NPK/2008 under section 7 of the Prevention of Corruption Act, 1988 and took up investigation and conducted pre-trap proceedings in the presence of two mediators in his office;

5. And whereas on 13.06.2008 at 9-00 A.M, Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore along with his staff, two mediators and Sri Kunam Rama Rao left Anti-Corruption Bureau Office, Nellore and reached near the Office of the Tahsildar, Kandukur at 11-45 hours and got the vehicle stopped. The Deputy Superintendent of Police asked Sri Kunam Rama Rao to get down from vehicle by reiterating his earlier instructions. Accordingly, Sri Kunam Ram Rao proceeded towards the office of the V.R.O, Kandukur. After that the two mediators, the Deputy Superintendent of Police, Inspector and staff got down from the vehicle and took vantage positions within the vicinity of the said office. The Deputy Superintendent of Police led the trap party by taking vantage position. Sri Kunam Rama Rao was found entering into the office of Sri I. Mallikarjuna Chowdary at bout 12-00 hours. He came to the office of the Village Revenue Office and entered into the room and found that the office was full with public and the Village Revenue Officer was attending the some work. He sat in a chair and waited. At about 01.00 P.M the Village Revenue officer became leisure. Then he asked the Village Revenue Officer Sri I. Mallikarjuna Chowdary about the title deeds then, the Village Revenue Office asked him about demanded bribe amount. Sri Kunam Rama Rao took out the tainted amount from his wearing shirt left upper inner pocket and produced before the Village Revenue Officer Sri I. Mallikarjuna Chowdary. He also requested the Village Revenue Officer to reduce the bribe amount as he was facing financial problems. Then the Village Revenue Officer accepted for that and took up two five hundred rupee notes from Sri Kunam Rama Rao and saying to keep Rs. 300/- with Sri Kunam Rama Rao. Then Sri Kunam Rama Rao kept the Rs. 300/-in the pocket. After that the Village Revenue Officer Sri I. Mallikarjuna Chowdary asked him to wait while to go to his home where the title deeds were kept. Then Sri Kunam Rama Rao came out of the room and gave the pre-arranged trap signal by wiping his face twice with kerchief. Immediately, the Deputy Superintendent of Police and other trap party members rushed into the office room of Sri I. Mallikarjuna Chowdary.

While the trap party entering into the office room, Sri Kunam Rama Rao was standing in front of the office of Sri I. Mallikarjuna Chowdary. The Deputy Superintendent of Police asked Sri Kunam Rama Rao to stay away from that place at some distance till he was called in. On entering into the office of the Village Revenue Office, Kandukur, the trap party member found one person sitting in the chair in front of the table. Then the Deputy Superintendent of Police disclosed his identity, other trap party members and ascertained the identity of the said person as Sri I. Mallikarjuna Chowdary and prepared sodium carbonate solutions in two glass tumblers, rinsed both his hand fingers into the prepared solutions separately. On doing so the right hand fingers yielded positive result, left hand fingers did not yield positive result. Then the Deputy Superintendent of Police asked Sri I. Mallikarjuna Chowdary to produce the tainted amount which he received from Sri Kunam Rama Rao. Then the Sri I. Mallikarjuna Chowdary produced the two five hundred rupee notes from his wearing shirt left side pocket. On the request of the Deputy Superintendent of Police, Anti-Corruption Bureau, one of the mediator verified two notes of Rs. 500/- denomination. The number of the notes were compared with the numbers mentioned in the mediators report No.1 and found tallied. Then the Deputy Superintendent of Police seized the two notes of Rs.500/- denomination for further investigation. The inner lining of the shirt left side inner pocket of Sri I. Mallikarjuna Chowdary were subjected with prepared sodium carbonate solution which turned into pink colour. Then the Deputy Superintendent of Police asked Sri I. Mallikarjuna Chowdary, who stated Sri Kunam Rama Rao voluntarily gave the amount to him and he never demanded Sri Kunam Rama Rao to pay bribe amount. Then Sri Kunam Rama Rao stated that on the demand of Sri I. Mallikarjuna Chowdary, he paid the bribe amount. Then the Deputy Superintendent of Police confronted the version of Sri I. Mallikarjuna Chowdary with Sri Kunam Rama Rao and they stuck to their versions. Then Sri Kunam Rama Rao produced Rs.300/- from his wearing shirt. The mediators verified and found Rs.300/- and the numbers of the notes were compared with the numbers of the notes in the mediator's report-1 and found tallied. Then the Deputy Superintendent of Police along with the mediators and Sri I. Mallikarjuna Chowdary went to the house of Sri I. Mallikarjuna Chowdary situated at door No.16-5-29, Pamuru Road, Kandukur and Sri I. Mallikarjuna Chowdary produced the three original title deed books of Sri Kunam Rama Rao and his brother and other and the same were seized under the cover of mediators report;

6. And whereas the above said acts of Sri I. Mallikarjuna Chowdary constitute offences punishable under sections 7, 13 (2) read with section 13 (1) (d) of the Prevention of Corruption Act, 1988;

7. And whereas, the Government of Andhra Pradesh, Hyderabad being the competent authority to remove the said Sri I. Mallikarjuna Chowdary from Government service after fully and carefully examining the material

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placed before them in respect of the aforesaid allegation and having regard to the facts and circumstances of the case consider that the Sri I. Mallikarjuna Chowdary, Village Revenue officer, Kandukur, Praksam District should be prosecuted in a Court of law for the above said offences;

8. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of Section 19 of the prevention of Corruption Act, 1988, the Government of Andhra Pradesh hereby accord sanction for Prosecution of the said Sri I. Mallikarjuna Chowdary, Village Revenue Officer, Kandukur, Praksam district for the offences punishable under sections 7 and 13 (2) read with section 13 (1) (d) of the Prevention of Corruption Act, 1988 and for any cognizable offences punishable under any other acts for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau, Hyderabad.

// FORWARDED BY ORDER //

SECTION OFFICER